



National Updates & Discussion: MAP-21

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RESOURCE CENTER



Our Visit Today...

History of Highway Bills

MAP-21

Rulemaking

ADA





History of Highway Bills

1956 TO TOMORROW...

Q. *"What year was the Interstate Highway System completed?"*

- A. 1981
- B. 1987
- C. 1991
- D. 1996
- E. Still working on it





History of Highway Bills



1956

- Federal-Aid Highway Act

- ...Highway Only Bills

1982

- Surface Transportation Assistance Act

1987

- Surface Transportation & Uniform Relocation Assistance Act

1991

- Intermodal Surface Transportation Efficiency Act (**ISTEA**)

Thomas "Chief" MacDonald

1998

- Transportation Equity Act for the 21st Century (**TEA-21**)

2005

- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (**SAFETEA-LU**)

2012

- Moving Ahead for Progress in the 21st Century Act (**MAP-21**)

2009
ARRA

History of Highway Bills



Year	Act	FAQ
1956	Federal-Aid Highway Act & Highway Revenue Act (Trust Fund)	Popularly known as the National Interstate and Defense Highways Act
1982	Surface Transportation Assistance Act	1 st to include Mass Transit, 10% DBE
1987	Surface Transportation & Uniform Relocation Assistance Act	Provisions for homes & business displaced by highway projects
1991	Intermodal Surface Transportation Efficiency Act (ISTEA)	Completion of the Interstate (1996)... focus on Intermodal/efficiency
1998	Transportation Equity Act for the 21 st Century (TEA-21)	Post Interstate era... greater flexibility, equity in Trust Fund, focus on safety & economic growth
2005	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-Lu)	Built on TEA-21... flexibility, safety, simplified federal-aid program
2009	<i>The American Recovery & Reinvestment Act (ARRA)</i>	"Shovel Ready"
2012	Moving Ahead for Progress in the 21 st Century Act (MAP-21) FY13-14	Beyond the TEA's... TPM, Asset Management...
2014	MAP-21 expires September 30, 2014	?

US Highway Trust Fund, 2013

Pay-as-You-Go Fund

- Revenue from the Federal Fuel (Highway-User) Tax
 - 18.4¢ per gallon of gasoline
 - 24.4¢ per gallon of diesel fuel
 - General Fund Transfers
(2008, 2009, 2010, 2012)
- FY2013 - Three Accounts in HTF:
 1. Highway Account, (15.44¢ per gallon of gasoline)
 2. Mass Transit, (2.86¢ per gallon of motor fuel)
 3. Leaking Underground Storage Tank (LUST),
(0.1¢ per gallon of motor fuel)
 - 1986 Act amend - Solid Waste Disposal Act under EPA



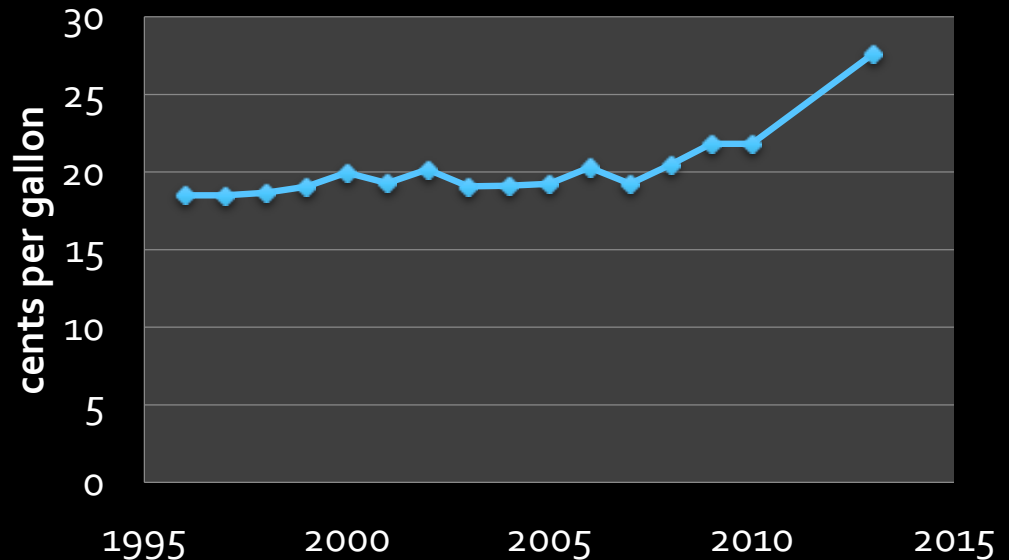
Revenue from State Fuel Tax

Not always dedicated to Roadways

2013 Taxes/Fees	Gas (cpg)	Diesel (cpg)
Ave. US	27.6	33.8
High	51.2	61.1
Low	8	14



Gas Tax State Trend



Average Individual Gas Tax (Fee)

US Average	Value	Source
Fleet-wide mpg for passenger cars	21.5 mpg (highway) ~15 mpg (average)	EPA (2011)
Federal Fuel Tax	18.4¢/gallon of gasoline 15.44¢/gg highways HTF	USDOT
State Fuel Tax	27.6¢/gg	USDOT/FHWA
Total Fuel Tax	43¢/gg	
Miles Driven	13,476 miles/year	USDOT/FHWA
- Man	16,550 miles/year	
- Woman	10,142 miles/year	
Average Individual Tax		\$386 per year \$138 /yr HTF

In contrast...

**Americans spend \$1,092 per
year on coffee**



Highway Trust Fund

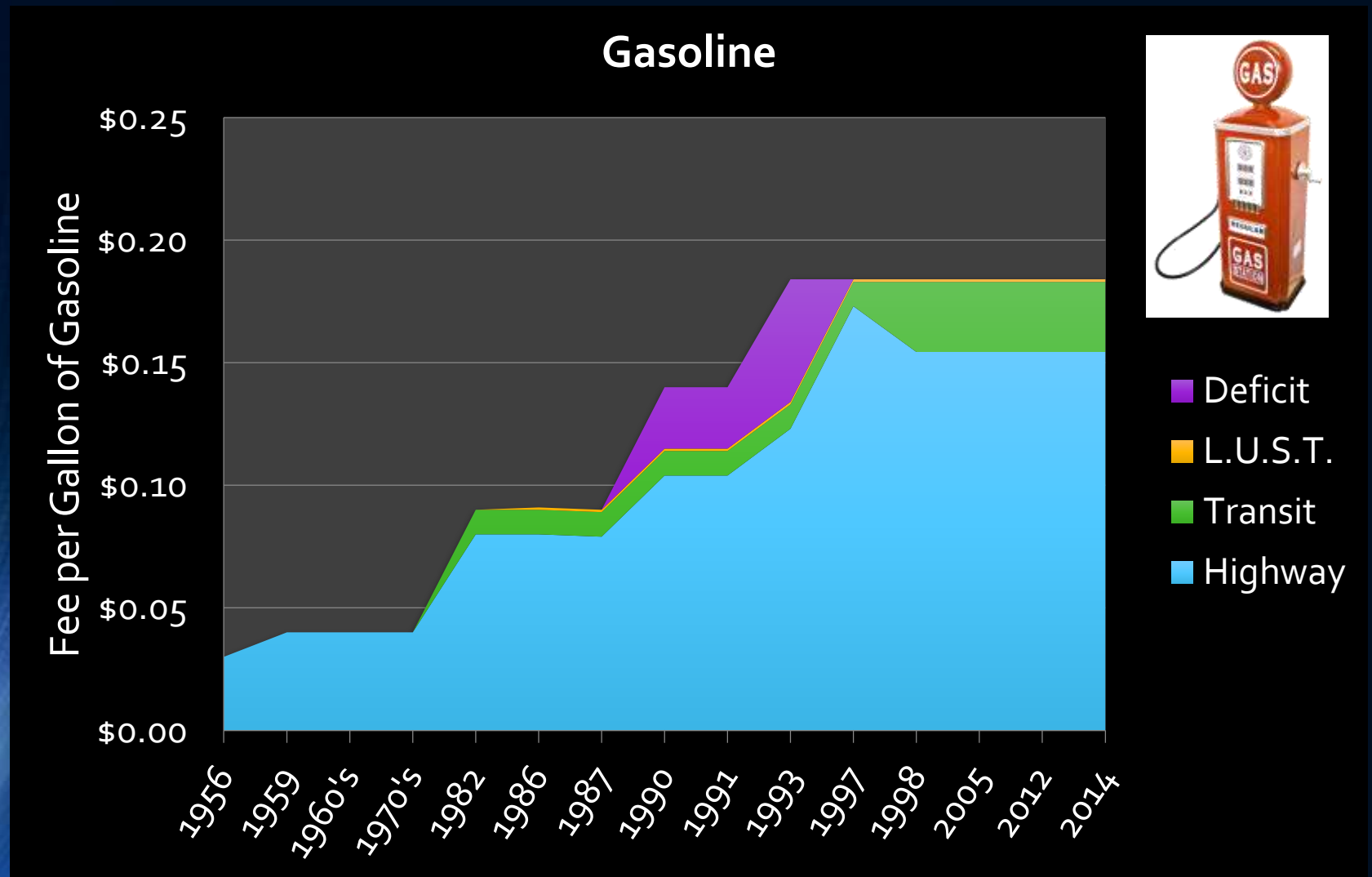


Q. *"Under which US President was the **gas tax** last increased?"*

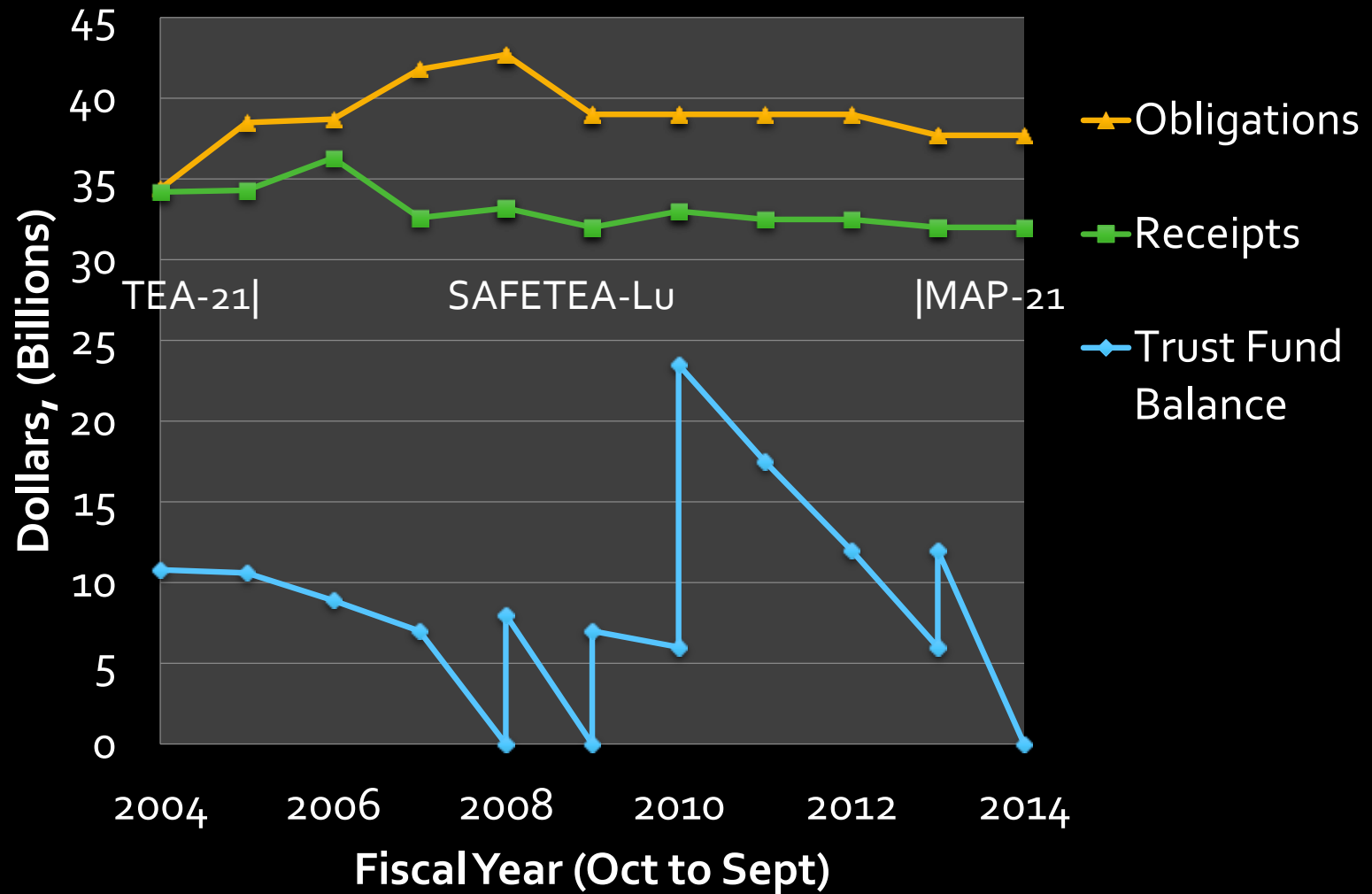
- A. Jimmy Carter
- B. Ronald Reagan
- C. George H. W. Bush
- D. Bill Clinton
- E. George W. Bush



History of Federal Highway-User Fee

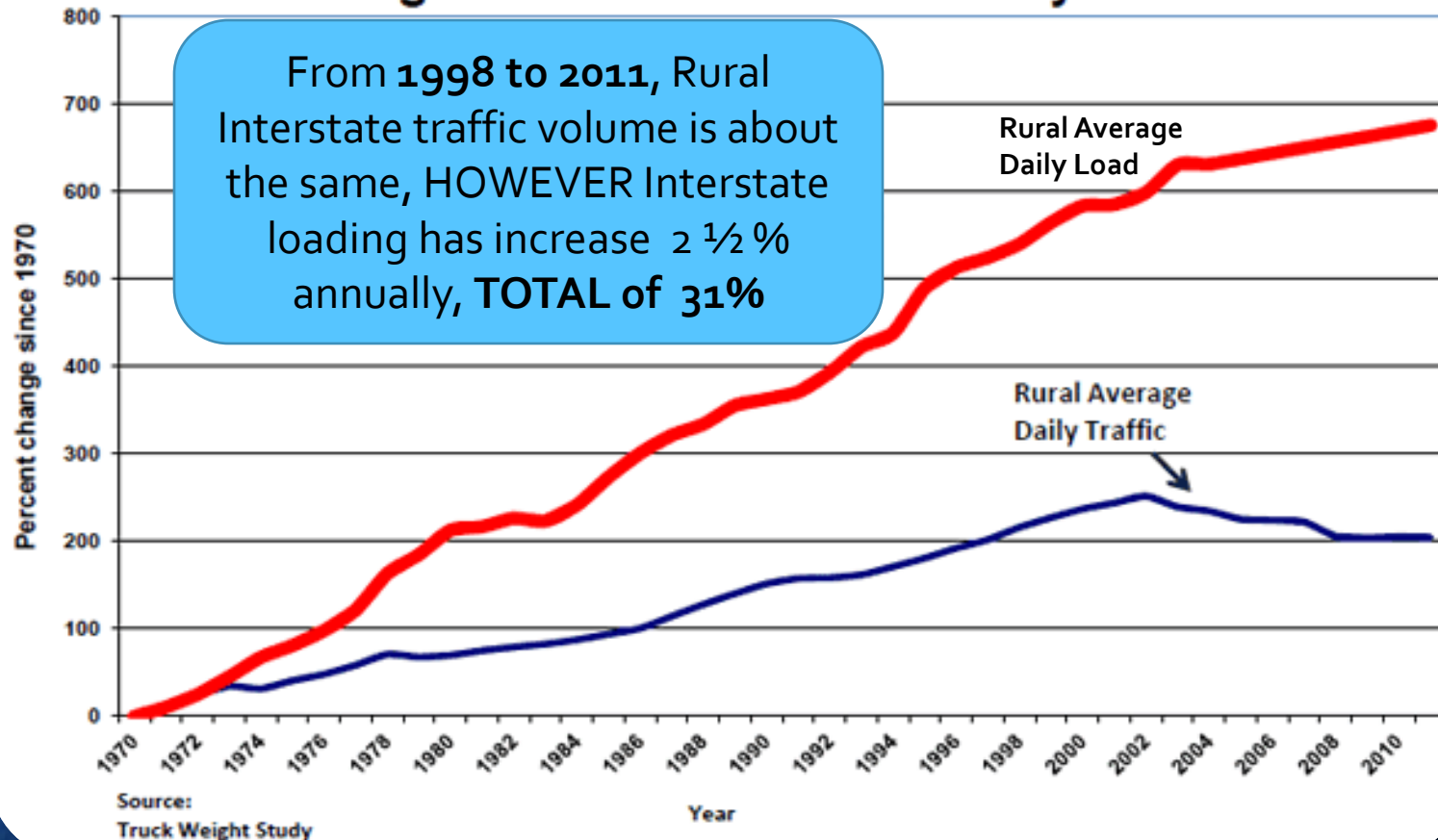


Highway Trust Fund



Rural Average Daily Load has increased almost 700% since 1970...

Comparison of growth in Volume and Loading on the Rural Interstate System





MAP-21

"PRESERVATION" & PAVEMENTS

~~Re~~Authorization of Highway Legislation



- MAP-21 –
Moving Ahead for Progress in the 21st Century Act



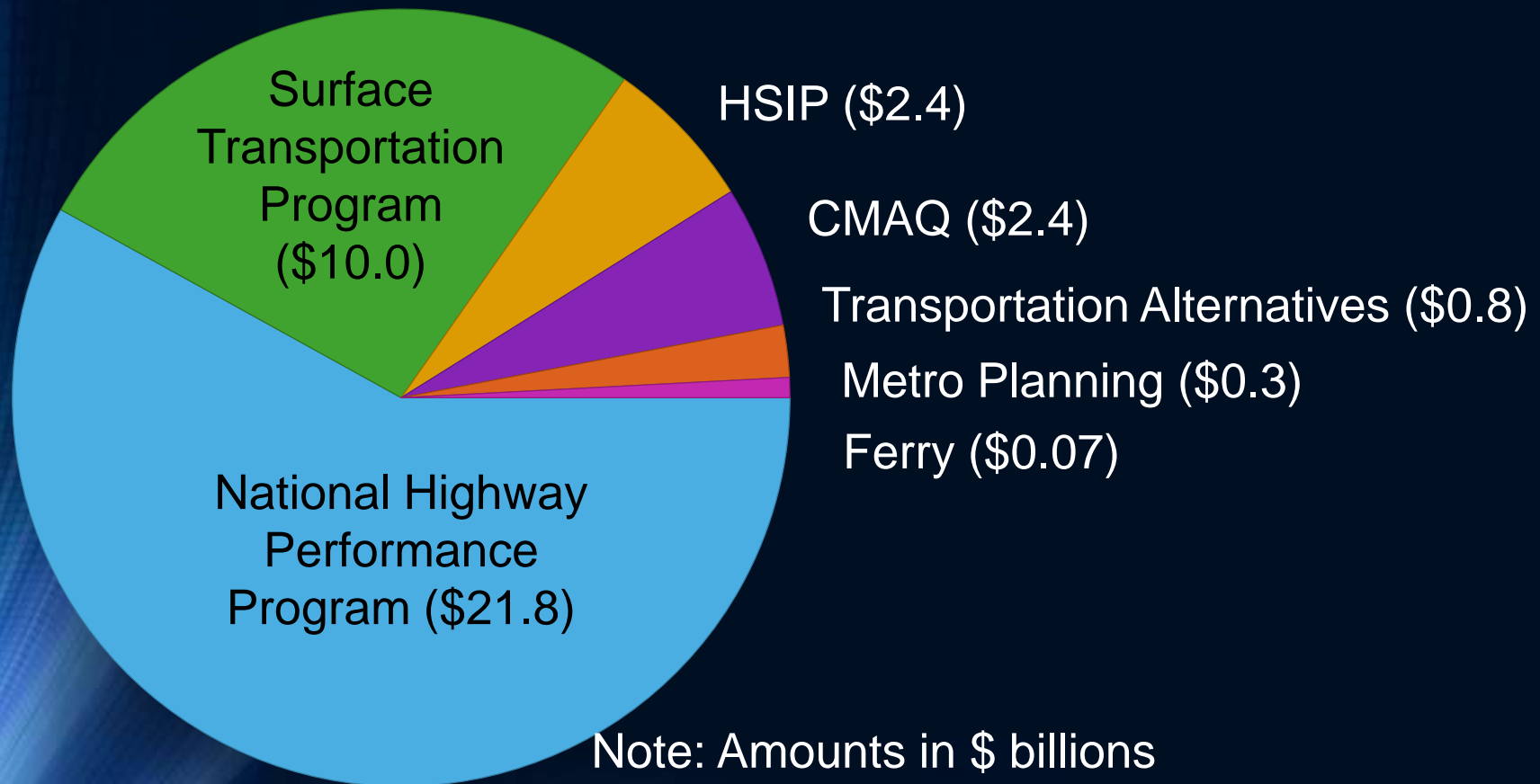
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MAP-21

Four “Core” Programs



\$37.7 Billion/Year in formula funding



MAP-21

Preservation FAQ's

- The word “Preservation” appears 35 times in the Law:

- 3 Contexts: **System (24)**, Historic (8), & Policy (3)

- § 1103. DEFINITIONS

- (a)(3)''(2) **Asset management**. – the term includes **preservation**...
- (a)(4)(B)''(C)(ii) (ii) by striking “and rehabilitation” and inserting “rehabilitation, and preservation”





MAP-21

"SECRETARY SHALL ESTABLISH..." (37 TIMES)
RULEMAKING

Administrative Procedure Act (APA)

Pub.L. 79-404, 60 Stat. 237, enacted June 11, 1946

MAP-21 Requirement: 18 months

1

- Provides for public notice and opportunity for comment on proposed rules,

2

- Requires an agency to explain the basis and purpose for its rule, and

3

- Provides for judicial review of the agency's actions.





Asset Management Requirements in MAP-21

POC: STEPHEN GAJ
LEADER, ASSET MANAGEMENT TEAM
FHWA OFFICE OF ASSET MANAGEMENT,
PAVEMENTS, AND CONSTRUCTION



DRAFT Rule with Office
of Chief Counsel

INFRASTRUCTURE CONDITION

- *Maintain the highway infrastructure asset system in a **state of good repair**.*



What is asset management?

Asset management is a strategic and systematic process of operating, maintaining, and improving physical assets, with a focus on economic analysis information, to sequence of preservation, repair, replacement actions and sustain a good repair over assets at minimum engineering and based upon quality identify a structured maintenance, rehabilitation, and that will achieve desired state of the lifecycle of the practicable cost.



(23 U.S.C. 101(a)(2), MAP-21 § 1103)

What does MAP-21 require Us to do?

Enhanced NHS ~ 220,000 miles

- ✓ Interstate
 - ✓ All principal arterials
 - ✓ Intermodal connectors
- STRAHNET -- important to U.S. defense

§1104; 23 USC 103

- We (USDOT) will issue a regulation (*aka rule*) on the process & requirements of a **risk-based, asset management plan** for the enhanced National Highway System (NHS) (*) (*Rulemaking*)
- You (State DOT's) will develop a Plan (*)

*(23 U.S.C. § 119(e)(8), MAP-21 § 1106),
Within 18 months of enactment (4/1/14)

** (23 U.S.C. 119(e)(1), MAP-21 § 1106)



When do you see the draft Rule?

- We (USDOT) issue a draft rule for comment.
 - *(within 180 days of enactments, April 1st, 2014)*
- You (State DOTs) have 60 days to provide comment.
- We (USDOT) will have the rule in place by October 1, 2015.



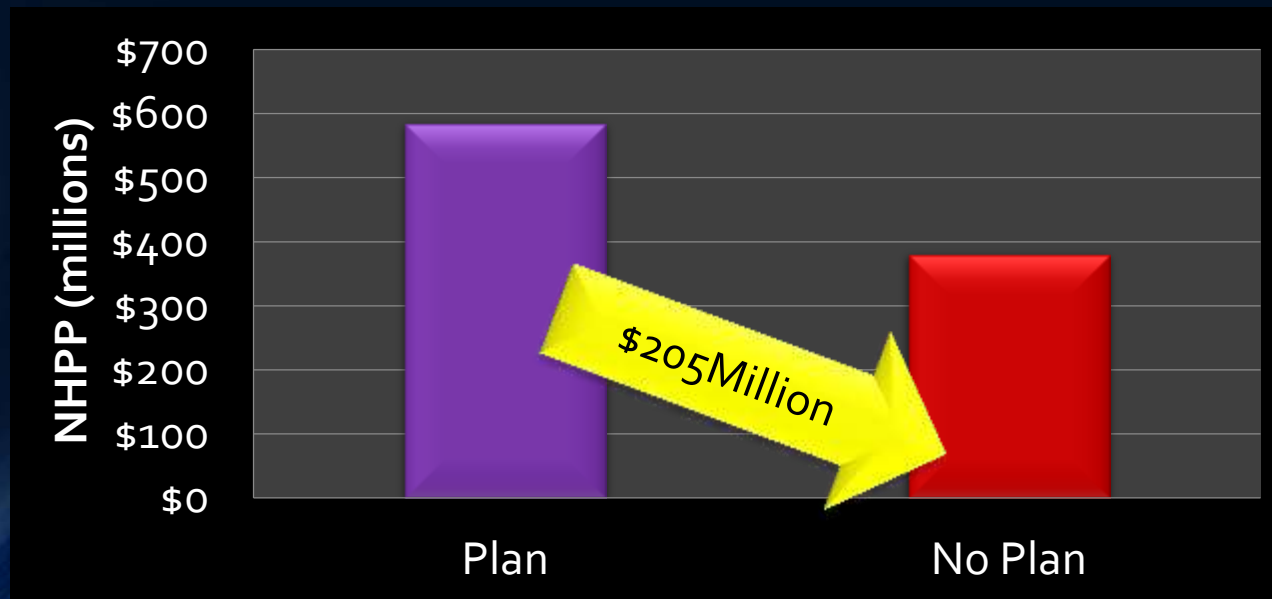
What will we do to certify your Plan?

- We will develop a certification process
 1. We (USDOT) have a 90 day review period, and...
 2. You (State DOTs) have 90 days to cure deficiencies - if not certified



What happens if you don't have a Plan?

- Your (State DOTs) federal share for NHPP will be reduced to 65%
- NHPP is 58% of the Program
- Ex. VA DOT
 - NHPP FY₁₃ = \$585,556,568 reduced to \$380,611,769



The Plans focuses on National Highway Performance Program

- ✓ We will recertify your Plan every 4 years





MAP-21 Pavement Performance – NHPP *(more Rulemaking)*

POC: THOMAS VAN
ASSET MANAGEMENT TEAM
FHWA OFFICE OF ASSET MANAGEMENT,
PAVEMENTS, AND CONSTRUCTION



DRAFT Rule with Office
of Chief Counsel

What's the process for this Rule?

- We (USDOT) have the same process as the Asset Management Plan, but...
- You (State DOTs) will have 90 days to provide comment.
 - “different section of MAP-21”
- We (USDOT) will have the rule in place by October 1, 2015.



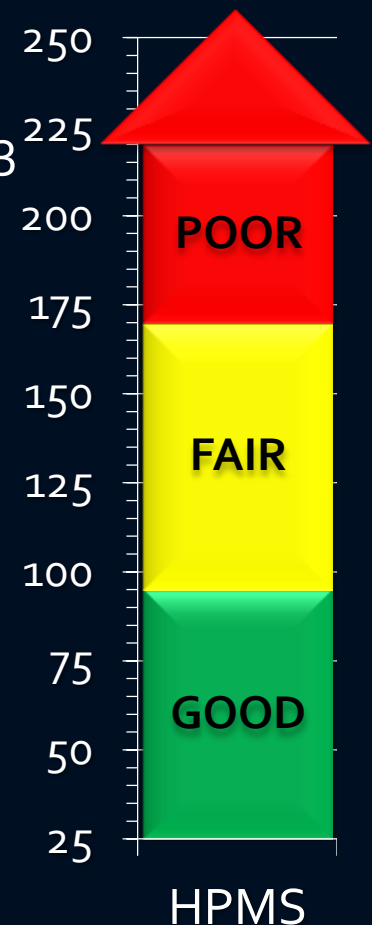
Pavement Measures | Metrics

- Functional **(GIVEN)**

1. International Roughness Index (IRI), AASHTO R₄₃

- Structural **(DRAFT)**

2. Cracking
3. Rutting (Asphalt)
3. Faulting (Concrete)



TPM Pavement Goal



- We (FHWA) will establish measures for you (State DOTs) to assess condition of the Interstate & the enhanced NHS...
- With minimum Standards for the Interstate ONLY
 - Example Metric ONLY: Max 7 ½ % of Interstate in POOR
 - Current 6 Agencies have > 7 ½ % of their Interstate in POOR condition based on IRI (>170 in/mile) only, based on 2011 HPMS Data

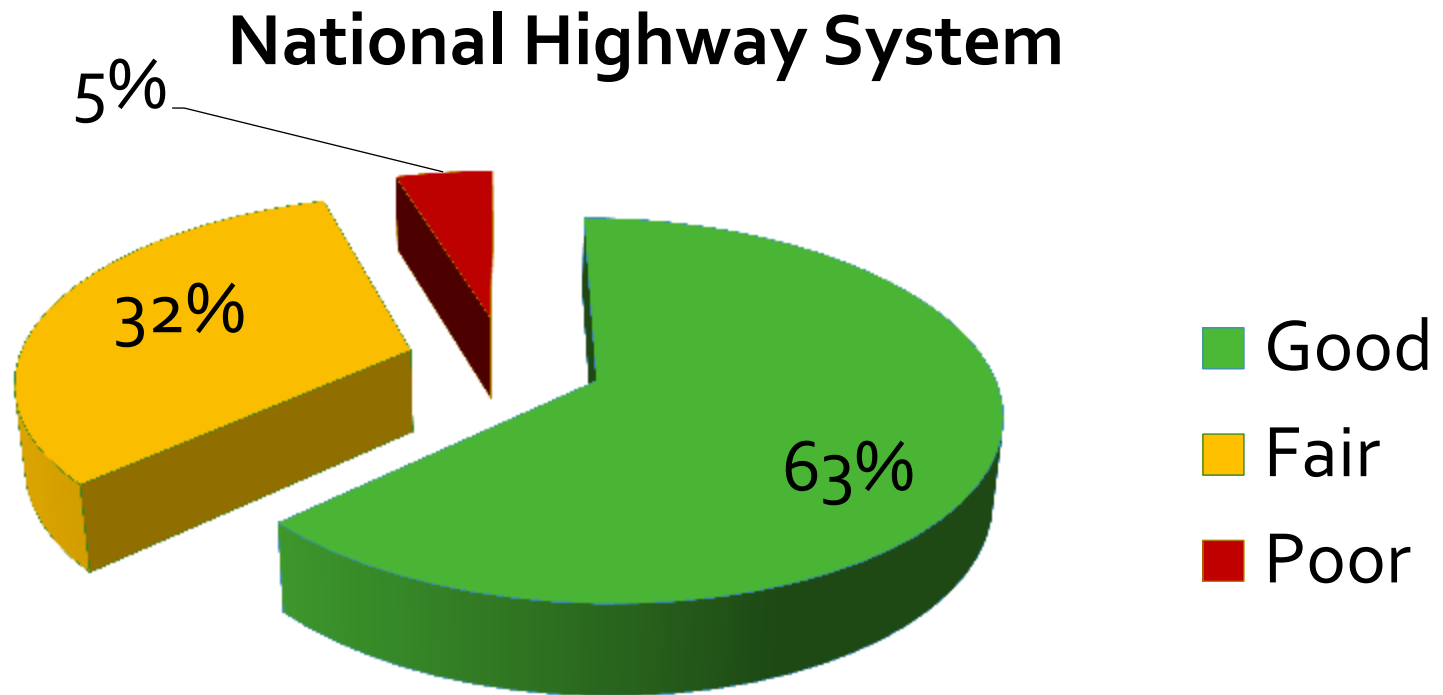
In 2011

Source: USDOT HPMS



- Of the 607,379 Bridges in the US... 66,748 rate as Structurally Deficient (11%)
- Of the 45,334 miles of Interstate... 1,467 rate as Functional Poor (IRI > 170 in/mile) (3.2%)
- Of the 157,426 miles of NHS... 12,897 miles rate as Functional Poor (8.2%)

In 2011
Source: USDOT HPMS



1,901 miles Rural NHS & 1,476 miles Urban NHS – reported.



Americans with Disabilities Act of 1990

SENATOR TOM HARKIN (D-IA),
AUTHORED THE BILL

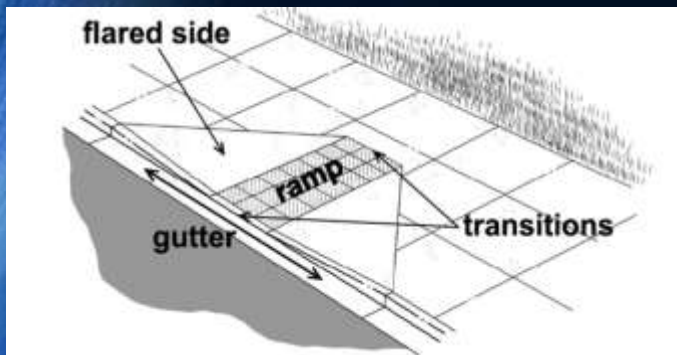


New Joint Ruling DOJ / DOT-FHWA

When is resurfacing considered to be an alteration?

Resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling.

Examples include...



The Balance of the New Rule

painting or striping lanes

crack filling & sealing

surface sealing

chip seals

slurry seals

fog seals

scrub sealing

joint crack seals

joint repairs

dowel bar retrofit

spot high-friction

treatments,

diamond grinding

pavement patching

addition of a new layer of asphalt

reconstruction

concrete pavement rehabilitation

and reconstruction

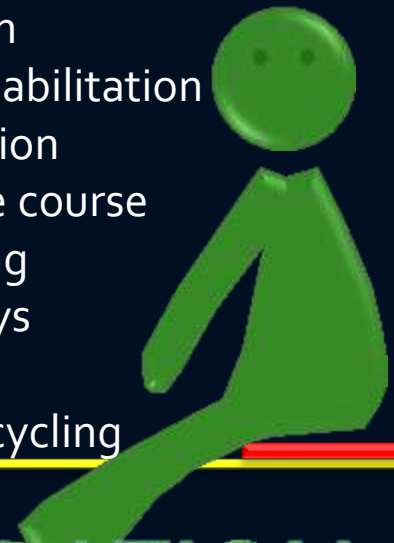
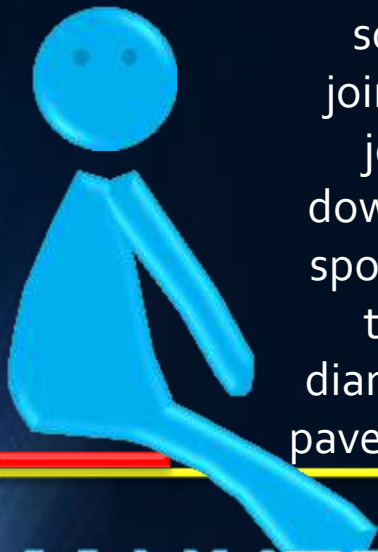
open-graded surface course

micro-surfacing

thin lift overlays

cape seals

in-place asphalt recycling



MAINTENANCE

ALTERATION

ADA

Thank You

Questions?

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